

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

MARK ELLIOT, II,

Plaintiff,

v.

ST. CHARLES DEPARTMENT OF
CORRECTIONS, et al.,

Defendants.

No. 4:24-CV-01452 RHH

MEMORANDUM AND ORDER

This matter is before the Court upon its review of the record. Self-represented Plaintiff Mark Elliot, II, filed this civil rights action on October 28, 2024; however, Plaintiff neither paid the Court filing fee nor filed a motion to proceed without prepayment of fees or costs. Plaintiff must do one or the other for this case to proceed. *See* E.D. Mo. L.R. 2.01(B)(1). Plaintiff's failure to timely pay the filing fee or file a motion seeking leave to commence this action without payment of fees or costs will result in the dismissal of this case, without prejudice and without further notice.

Accordingly,

IT IS HEREBY ORDERED that the Clerk is directed to send Plaintiff a blank Application to Proceed in District Court without Prepaying Fees or Costs' form.

IT IS FURTHER ORDERED that Plaintiff must either pay the \$405 filing fee or submit a motion to proceed without prepaying fees or costs within **thirty (30) days** of the date of this Order.

IT IS FINALLY ORDERED that if Plaintiff fails to comply with this Order, the Court will dismiss this action without prejudice.

Dated this 4th day of November, 2024.



RODNEY H. HOLMES
UNITED STATES MAGISTRATE JUDGE